

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VASUDEVAN SOFTWARE, INC.,

No. 11-cv-06637 RS

Plaintiff,

ORDER ON PENDING MOTIONS

v.

MICROSTRATEGY, INC.,

Defendant.

The parties have stipulated, in light of the Claim Construction Clarification Order (Dkt. 326), that the accused products of defendant MicroStrategy, Inc. (MicroStrategy) do not infringe the asserted claims of the U.S. patents owned by plaintiff Vasudevan Software, Inc. (VSi): numbers 6,877,006 (the '006 patent), 7,167,864 (the '864 patent), 7,720,861 (the '861 patent), and 8,082, 268 (the '268 patent. *See* Dkt. 331. In light of the stipulation, summary judgment of non-infringement is hereby entered in favor of MicroStrategy and against VSi.

A number of motions are currently pending in this case. By separate concurrently filed order granting MicroStrategy's Motion for Summary Judgment of Invalidity, Dkt. 224, summary judgment of invalidity is also entered in favor of MicroStrategy and against VSi. In addition, another separate concurrently filed order denies in part and grants in part MicroStrategy's Motion for Summary Judgment of No Direct Infringement of the '006, '861, and '268 Patents and No

1 Indirect Infringement of Any Patent-In-Suit, Dkt. 223. Furthermore, the following motions are
2 hereby denied without prejudice in the event of any remand:

- 3 • VSi's Motion for Summary Judgment of No Inequitable Conduct, Dkt. 216.
- 4 • VSi's Motion for Summary Judgment on MicroStrategy's Laches Defense, Dkt. 219.
- 5 • VSi's Motion to Exclude MicroStrategy's Experts' Opinions Regarding "Disparate
6 Databases," Dkt. 259.
- 7 • VSi's Motion to Exclude MicroStrategy's Damages Expert Sara Rinke and Opinions
8 Related to Non-Infringing Alternatives, Dkt. 276.
- 9 • MicroStrategy's Motion for Summary Judgment of Non-Infringement, Dkt. 221.
- 10 • MicroStrategy's Motion to Strike Portions of VSi's Expert Reports, Dkt. 274.
- 11 • MicroStrategy's Motion to Exclude Expert Testimony, Dkt. 275.

12 All pending administrative motions to seal will be terminated without prejudice to being refiled at a
13 later time. This will not result in the filing of any provisionally sealed documents in the public
14 record.

15 IT IS SO ORDERED.

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17 Dated: 10/17/13


18 RICHARD SEEBORG
19 UNITED STATES DISTRICT JUDGE
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